

FILED - US Bankruptcy Court - SDC
2024 OCT 23 PM 7:09

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

APPEAL COVER SHEET

APPELLANT	APPELLEE
Bankruptcy Case No. <u>24-20266</u> Johnnie Marene Thomas, Debtor 1601 GA Hwy 40-E, #M-235 Kingsland, Georgia 31548	Paul Schofield, Chapter 7 Trustee Michele J. Kim, Bankruptcy Judge

NATURE OF PROCEEDING

Non-Final Order APPEAL, to include the **ORDER** rendered by Judge Michele J Kim dated and signed the 2nd October 2024, **“DENYING my Request to Appear by Zoom”** for the October 10th, 2024 hearing and **ALL future HEARINGS**. I, the Debtor , has the right to **APPEAL** this **“DENIED” ORDER** and will therefore exercise all my rights.

Because of Judge Michele J. Kim’s biased and prejudiced actions, **“I am requesting that Judge Michele J. Kim be disqualified/recused/removed (Federal statute 28 U.S.C. Sec. 455), from my bankruptcy case and sanctioned. She has made an arbitrary decision without affording me my constitutional rights- procedural due process - “jury trial”, which is mandated.**

“The DEBTOR reserves ALL Appellant Rights Pending Appeal of a Final Order to The U.S. District Court, U.S. Court of Appeals, and up to the U.S. Supreme Court.”

Notice of Appeal Filed:	23 October 2024
Date of Order Appealed:	2nd October 2024
Title of Order Appealed:	ORDER - DENIED Debtor’s Request to Appear by Zoom at ALL Hearings
Debtor’s County of Residence:	Camden
FINAL ORDER JUDGMENT APPEAL	
Dates of Orders:	

ISSUE(S): VIOLATIONS OF PROCEDURAL DUE PROCESS (Clause requires that the government provide certain procedural protections, including: notice, an opportunity to be heard, and a hearing before an impartial tribunal)

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

IN RE:

Johnnie Marene Thomas

CASE NO: 24-20266

Debtor
_____ /

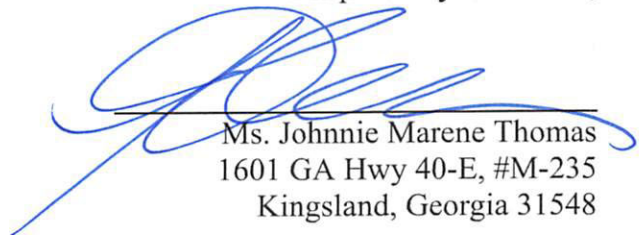
DEBTOR'S APPEAL DESIGNATIONS & DIRECTIONS TO THE CLERK

COMES NOW, Johnnie Marene Thomas, Debtor, representing MYSELF in proper person filing Designation in these Directions to the Clerk to Transmit Exclusively for **APPEAL** to include - The Entire Record of the Docket, including transcripts and all motions filed by the Debtor. The Debtor reserves the right to amend to include select or additional information for Chapter 7 Case.

Also, the Debtor requests the Clerk to transmit to the District Court a copy of the Chapter 7 Trustee Bonds who presided over this case also attached to the record on Appeal. This court must Pursuant to Rule 3001, has been filed in this case.

10/23/2024 Date

Respectfully submitted,



Ms. Johnnie Marene Thomas
1601 GA Hwy 40-E, #M-235
Kingsland, Georgia 31548

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

IN RE:

Johnnie Marene Thomas

CASE NO: 24-20266

Debtor

I hereby certify that a true and correct copy of the following DEBTOR'S APPEAL DESIGNATIONS & DIRECTIONS TO THE CLERK was served via PERSON and others served via U.S.P.S. First Class Mail to:

Hand Delivered to: Paul Schofield, Chapter 7 Trustee	Mailed to:
Mailed to:	Mailed to:

10/23/2024 Date

Respectfully submitted,


Ms. Johnnie Marene Thomas
1601 GA Hwy 40-E, #M-235
Kingsland, Georgia 31548

Judge Kim, because of the biased and prejudiced actions have already demonstrated the possibilities of ME not receiving any FAIRNESS in your court with YOU as the Administrator. By DENYING my rights to have ALL of my hearings via Zoom vs. in person (*without having a "jury trial" to hear this case for reasons*), ***I am requesting that YOU, Judge Kim, be removed from my bankruptcy case and sanctioned.***

We are just getting started and YOU have taken it upon yourself to make an ABSOLUTE decision upon my life without my permission and without a hearing when you "***DENIED***" my request for "***Zoom .vs. In Person***" for ***ALL future hearings.*** The docket sheet will reflect all the filings from me requesting "Zoom hearings" from the beginning, and it did **NOT** start on October 2nd, 2024. I am a citizen of the United States and I have my constitutional rights for a "***jury trial***" ***made up of my peers.*** to hear and make that decision .vs. YOU as an Administrator, is definitely undeniably a GIVEN right, Rule 38. Right to a Jury Trial; Demand (a) Right Preserved. The right of trial by jury as declared by the Seventh Amendment to the Constitution-or as provided by a federal statute- is preserved to the parties inviolate.

Judge Kim, you have taken it upon yourself to make a decision as such upon MY LIFE, and for "what reason". I, Johnnie Marene Thomas, am living in a "constitutional" system world, **born in 1960, NOT** during the time when Georgia was operating under confederacy standards. That was an ARBITRARY decision you willfully, knowingly, intentionally made, ***depriving me of my safety- not just physically but also mentally and emotionally.*** These hearings are NOT a Kumbaya moment, it is a very serious matter.

(Read your "ORDER" again and truly ask yourself if YOU would want such an ORDER rendered towards YOU.) Your order violated the 5th Amendment of the United States Constitution. I was NOT given any type of hearing which is "mandated" by the constitution that NO ACTION should be taken without PROCEDURAL DUE PROCESS. YOU, Judge Kim this decision, Thusfar, Judge Kim, you are NOT in compliance with the Supreme Court decision, you are obstructing justice. As a Pro.Se. litigant, "Haines vs. Kerner, 404 U.S. 519 (1972)", I **have procedural due process rights and I will exercise all of MY constitutional rights.**

Procedural Due Process - 5th Amendment -without giving me any hearing. the ORDER itself is <u>Arbitrary</u> , therefore it is MOOT, null and void.
--

Judge Kim, you should be removed from the Panel of Judges because of your demonstration of bias and prejudiceness, and denying me of my rights is a ***Constitutional TORT***, and you have added hostility to an already hostile situation. **For the record**, I would like to know why YOU as a Bankruptcy Administrator/Judge in the Southern District of Georgia are trampling on my RIGHTS right out the gate, withOUT procedural due process, without any explanation.

It is important to me that I point out to YOU what I see YOU doing towards ME. As stated before, from the beginning of this BANKRUPTCY CASE # 24-20266, I have requested that "ALL" hearings be via Zoom. Therefore, I will appeal a **"DENIED"**.

The "ORDER" dated/signed on the 2nd October 2024 by Judge Michele J Kim - is "MOOT", not a lawful order because I, the Debtor, did NOT receive procedural due process, which is mandated. Based upon that I want this "ORDER" to be Null and VOID. I, Johnnie Marene Thomas, Debtor and Pro.Se. Litigant, am filing into bankruptcy - requesting that ALL hearings pertaining to MY case be via ZOOM.

As a citizen, we have ABSOLUTE RIGHT.

- (1) A right that belongs to every human being, such as the right of personal liberty; a natural right. Also termed individual right.
- (2) An unqualified right; specific. A right that cannot be denied or curtailed except under specific conditions <freedom of thoughts is an absolute right>. For example, a plaintiff has an absolute right to voluntarily nonsuit a case before it is finally submitted; after final submission, the court has discretion to grant or deny a voluntary nonsuit. (Black Law Dictionary, 12th Edition)

A constitutional tort is a violation of one's constitutional rights by a government employee. The alleged constitutional violation creates a cause of action that is distinct from any otherwise available state tort remedy.

Federal statute is 455 for removal

RECUSE: (1) to remove (oneself) as a judge in a particular case because of a disqualification, such as prejudice or conflict of interest. (2) to challenge or object to (a judge, expert, etc.) as being disqualified to serve in a case because of prejudice or a conflict of interest.

28 U.S. Code § 455 is a federal statute that requires judges to disqualify themselves from proceedings where their impartiality may be questioned. This includes judges, justices, and magistrate judges, such as Supreme Court Justices. The statute was published in 2011 and went into effect on January 3, 2012.

Some circumstances that require a judge to recuse themselves include:

- Having a **personal bias or prejudice** against a party *
- Having personal knowledge of disputed evidentiary facts
- Serving as a lawyer in the matter in controversy
- Having a financial interest in the subject matter or a party to the proceeding
- Being a party to the proceeding, an officer, director, or trustee of a party

The recusal standard is objective, and the relevant inquiry is whether a reasonable person would **harbor doubts** about the judge's impartiality. **

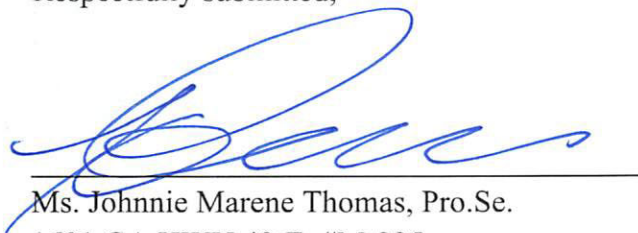
YOU may be asking “why is she listing these rules- as if YOU don't know them.” Well, as LICENSED Administrators/Judges/Attorneys- whichever category you fall in know the rules, you took an OATH to UPHOLD-DEFEND-PROTECT the Constitution but for some reason, some of you try to circumvent the Constitution and some of you are truly “law-breakers” in the courtroom, hiding inside of a black robe. Only GOD knows how many people you and others in your capacity have knowingly, willfully and intentionally damaged with your unlawful acts while hiding inside of a black robe.

Because of the “ORDER” I received from you date/signed the **2nd October 2024**, regarding “ALL future hearings via Zoom” and after consideration of your ORDER, I - Ms. Johnnie Marene Thomas, Debtor and a Pro.Se. Litigant, am hereby doing a motion that you, Judge Michele J. Kim be **DISQUALIFIED / RECUSED / REMOVED** immediately from all MY bankruptcy case #24-20266 proceedings and for a **Ten Million Dollars (\$10,000,000.00)** **sanction against you.**

ACTIONS DEBTOR IS REQUESTING/RESOLUTION

	<u>Judge Michele J Kim has demonstrated she is bias and prejudice towards this Debtor and does NOT have concerns regarding my wellbeing</u>
1	<u>DISQUALIFIED / RECUSED / REMOVED (federal statute 455)</u> immediately from all MY bankruptcy case #24-20266 proceedings
2	Sanction in the amount of <u>Ten Million Dollars (\$10,000,000.00)</u>
3	I, Johnnie Marene Thomas, Debtor and Pro.Se. Litigant again- filing into bankruptcy requesting that ALL bankruptcy hearings pertaining to MY bankruptcy case# 24-20266 for me, my protection will be held via ZOOM . PLEASE NOTE: The DOCKET will reflect my REQUEST for ZOOM HEARINGS was done before the scheduling of October 10th, 2024 at 1030am hearing; way before I filed the request into the system on October 2nd, 2024 regarding the October 10th, 2024 hearing.

Respectfully submitted,



Ms. Johnnie Marene Thomas, Pro.Se.
1601 GA HWY 40-E, #M-235
Kingsland, Georgia 31548

10/23/2024
Date

The Fifth Amendment of the United States Constitution protects individuals from government action and establishes rights in both criminal and civil legal proceedings:

- Due process: No one can be deprived of life, liberty, or property without due process of law.

/INCLOSED

- **EXHIBIT A:** ORDER FROM BANKRUPTCY JUDGE MICHELE J KIM (pgs 6 & 7)
- **EXHIBIT B:** Telephone Call from Bankruptcy Division informing me of changes due to Hurricane Milton (pgs 8 & 9)
- **EXHIBIT C:** Request filed into bankruptcy from me on Oct 2, 2024 regarding hearing via Zoom .vs. In person and the REASON why (pgs 10 & 11)

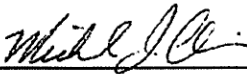
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

IN RE:) CHAPTER 7 CASE
) No. 24-20266
JOHNNIE MARENE THOMAS,)
)
Debtor.)
_____)

ORDER

Before the Court is Debtor's Request to Appear by Zoom (ECF No. 52) filed on October 2, 2024. Debtor, acting pro se, requests that she be allowed to appear at the hearing on her Motion for Sanctions Against Alvin Matthew Thomas and Okefenoke REMC for Violation of the Automatic Stay (ECF No. 23) scheduled for October 10, 2024, and "all future hearings and meetings" remotely by Zoom "due to the hostile nature/environment between individuals." After consideration of this request, it is hereby **DENIED**.

SO ORDERED, this 2nd day of October, 2024.



Michele J. Kim
United States Bankruptcy Judge
Southern District of Georgia

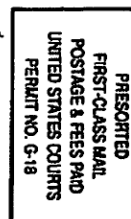
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(rev. 8/82)

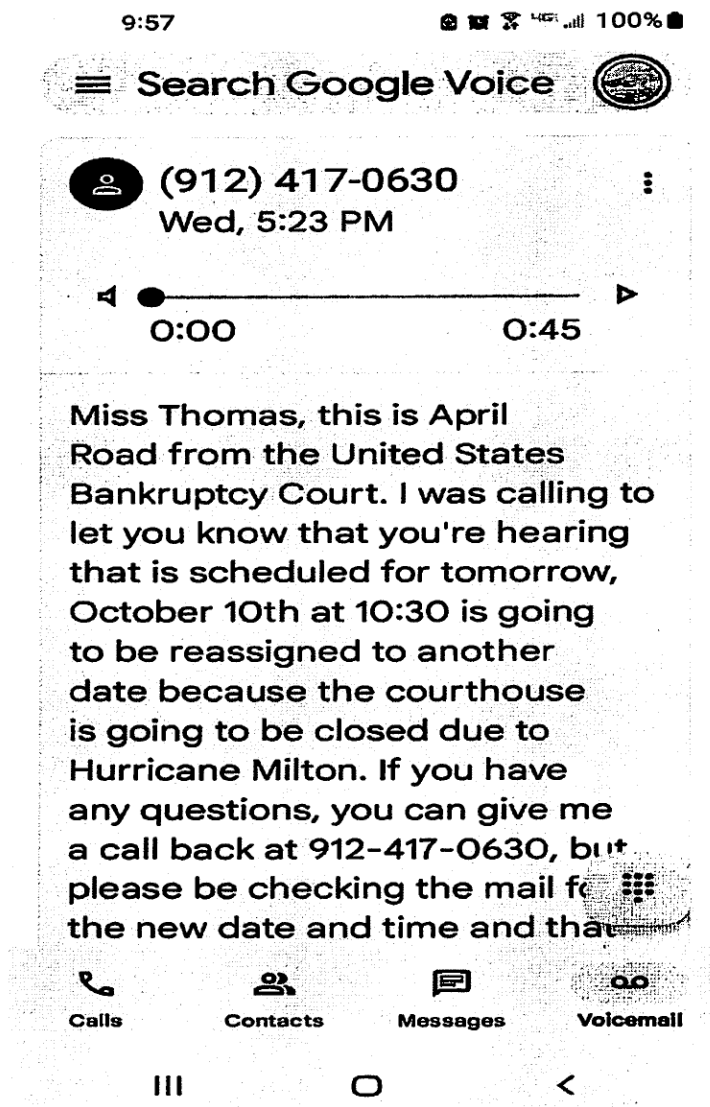
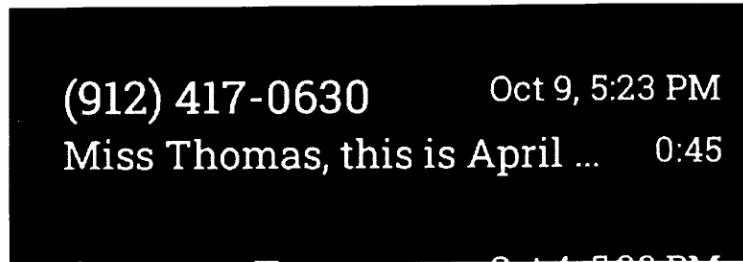
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EXHIBIT A (pgs. 6 & 7)

OFFICIAL BUSINESS
UNITED STATES BANKRUPTCY COURT
PENALTY FOR PRIVATE USE, \$300
CONTAINS NOTICE of a PROCEEDING
in the
UNITED STATES BANKRUPTCY COURT

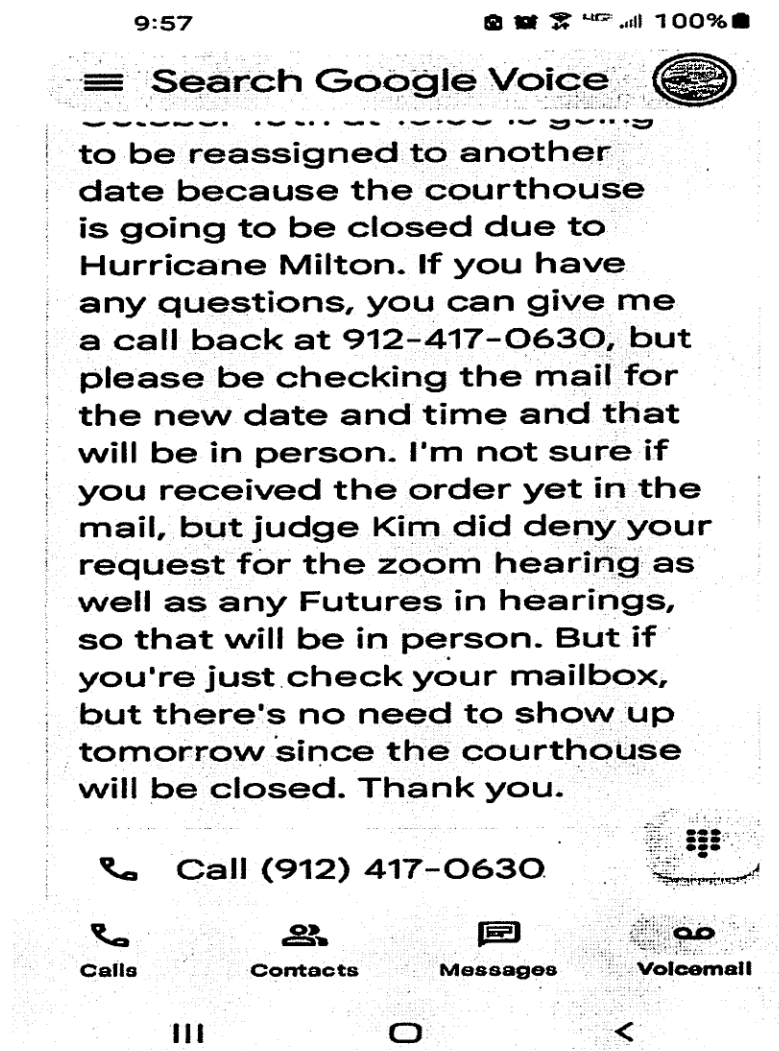
FIRST-CLASS MAIL





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² EXHIBIT B (pgs 8 & 9)



**UNITED STATES BANKRUPTCY COURT
Southern District of Georgia**

2 October 2024

Johnnie Marene Thomas (Debtor)
1601 Georgia Highway 40-E
Suite M235
Kingsland, Georgia 31548

Case No. 24-20266

DEBTOR'S JUDICIAL NOTICE

ALL HEARINGS AND MEETINGS BY ZOOM, PERMANENTLY

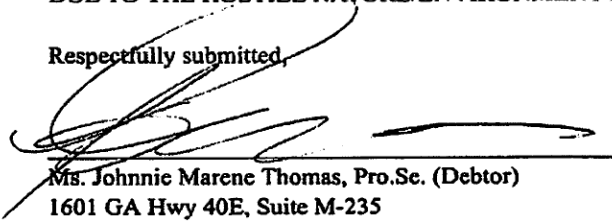
I, Johnnie Marene Thomas, Debtor am "requesting" that this Court allows me to attend
THIS HEARING

Scheduled for: October 10, 2024 at 10:30A.M. by ZOOM

And **"ALL" future Hearings and Meetings by ZOOM, permanently**

DUE TO THE HOSTILE NATURE/ENVIRONMENT BETWEEN INDIVIDUALS.

Respectfully submitted,


Ms. Johnnie Marene Thomas, Pro.Se. (Debtor)
1601 GA Hwy 40E, Suite M-235
Kingsland, Georgia 31548

10/21/2024
Date

Requesting Debtor attend Oct. 10, 2024 meeting by ZOOM and ALL future Hearings
and Meetings by ZOOM, permanently _____ page 1 of 2

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA

2 OCTOBER 2024

FILED - US Bankruptcy Court - BWK
2024 OCT 2 PM 2:39

JOHNNIE MARCENE THOMAS (DEBTOR)
1601 GA HWY 40E, SE M235
KINGSLAND, GA 31548

CASE # 24-20266

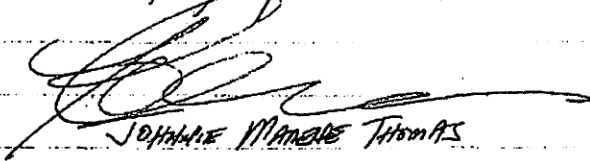
DEBTOR'S
JUDICIAL NOTICE

EMAIL ADDRESS: ABOVETHESEA@GMAIL.COM

FOR NOTIFICATION REGARDING: HEARING, OCTOBER 10TH, 2024
@ 1030 AM
VIA ZOOM

FOR ADVANCE NOTIFICATION REGARDING "ZOOM" CONNECTION

THANK YOU!
RESPECTFULLY SUBMITTED,


JOHNNIE MARCENE THOMAS

10/2/2024

